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Dated: 10/24/04

Signature: Melody A. Krag
(Melody Almberg)

Jpw
Docket No.: 341148001US7
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
David N. Krag

Application No.: 10/791,662

Confirmation No.: 2720

Filed: March 2, 2004

Art Unit: 3731

For: SYSTEM AND METHOD FOR
BRACKETING AND REMOVING TISSUE

Examiner: M. H. Thaler

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

Applicant submits herewith copies of foreign patents in accordance with 37 CFR 1.98(a)(2).

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information that may be material to the

examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0665, under Order No. 341148001US7.

Dated: 10/23/08

Respectfully submitted,

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PTO/SB/08a/b (07-06)

Approved for use through 09/30/2006. OMB 0651-0031

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Substitute for form 1449A/B/PTO				Complete if Known	
				Application Number	10/791,662-Conf. #2720
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				Art Unit	3731
				Examiner Name	M. H. Thaler
Sheet	1	of	1	Attorney Docket Number	341148001US7

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-2004/0125916	07-01-2004	Herron et al.	
		US-3,577,160	05-04-1971	White	
		US-3,969,629	07-13-1976	McIntyre	
		US-4,642,786	02-10-1987	Hansen	
		US-5,019,713	05-28-1991	Schmidt et al.	
		US-5,189,690	02-23-1993	Samuel	
		US-5,233,990	08-10-1993	Barnea	
		US-5,285,772	02-15-1994	Rattner et al.	
		US-5,353,804	10-11-1994	Kornberg et al.	
		US-5,386,191	01-31-1995	McCarten et al.	
		US-5,396,889	03-14-1995	Ueda et al.	
		US-5,396,905	03-14-1995	Newman et al.	
		US-5,400,787	03-28-1995	Marandos	
		US-5,409,004	04-25-1995	Sloan	
		US-5,559,435	09-24-1996	Harada et al.	
		US-5,621,779	04-15-1997	Hughes et al.	
		US-6,129,668	10-10-2000	Haynor et al.	
		US-6,230,038	05-08-2001	von Gutfeld et al.	
		US-6,246,900	06-12-2001	Cosman et al.	
		US-6,405,072	06-11-2002	Cosman	
		US-6,416,520	07-09-2002	Kynast et al.	
		US-6,701,179	03-02-2004	Martinelli et al.	
		US-6,905,245	06-14-2005	Cresens	

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		JP-8-166446	06-25-1996	Kubota Corporation	T ⁶
		WO-0239917	5-23-2002	Calypso Medical, Inc.	
		WO-0239918	5-23-2002	Calypso Medical, Inc.	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. * CITE NO.: Those application(s) which are marked with a single asterisk (*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. ¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T ²

Examiner Signature	Date Considered
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